Dear Howard, 2/2/78

With more time I'd explore the question I'm raising at greater length. It has to do with any law relating to the FBI's release of defamatory personal information about the critics, in my case after I repeatedly invoked the provisions of the Privacy Act and I think perhaps now not irrelevant, although we did not argue the personal angle, the request for a temporary injunction.

I am not considering for the moment whether or not this was a deliberate tort. What I am asking you to think is can there be other considerations that would be material in litigation now?

I think the clear purpose is the continuation of old purpose conceived to be right, not wrong, no matter how wrong it was to others - to buttress the findings in the JFK assassination by destroying the reputations of those who questioned those findings.

I have to go to DC this morning and I have a ride. I await it. I'm going to try to get home as soon as possible for a number of reasons ranging from snow prediction to the fact that I've not been able to read any of these records. If you hear of any I'd like to be referred to them so I can collect all of them into a separate file.

Jim remains overloaded, too. And, of course, this is Lil's season. She has taken much time the past several days working the copying machine for the National Enquirer people who have gone over about 60 of the Sections.

I disproved some of what was released prior to its release and not knowing it would be released. I also then invoked PA and told them that by withholding records they were denying me my rights under PA. (Jim notified prior to releases, on my hunch.) Now I find tha the have indeed released personal records defamatory and untrue, that they had withheld under my PA requests that are two years old.

As we get field office responses I am also finding that they lie like Hoover was still to be feared if they didn t. And one source provided proof of lying by another.

I think that given the credentials the DJ has bestowed upon me I am in anexceptional position when it comes to claiming damages and purpose in those damages that arr official purposes. I do not think that because they are official tehn become an intention tort.

It may be that the situation justifies a paralleling and different legal approach. I think we have precedent in the Halperin case, a recent one, where the tort was a deliberate, illegal act. But what I'm hoping you can think of is an approach other than, I mean in addition to a straight damage suit. I am also thinking or trying to get to thinking of how this can be used properly to establish what we can probably all agree that it means in terms of the official account of the assassination. That it is tied in with - part of- the false account of the deed.

My ride has called.

Best,

Mr